

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NEW YORK

CONSUMER FINANCIAL PROTECTION  
BUREAU, et al.

Plaintiffs,

vs.

STRATFS, LLC f/k/a STRATEGIC  
FINANCIAL SOLUTIONS, LLC, et al.

Defendants, and

DANIEL BLUMKIN, et al.,

Relief Defendants.

Case No. 24-cv-00040-EAW-MJR

**NOTICE OF RECEIVER'S EMERGENCY MOTION FOR  
AN ORDER TO SHOW CAUSE WHY INTERVENOR LAW FIRMS  
SHOULD NOT BE HELD IN CIVIL CONTEMPT**

Moving Party:	Receiver, Thomas W. McNamara
Nature of Action:	Consumer Fraud
Directed To:	Plaintiffs, Defendants, Relief Defendants, and Intervenor Law Firms
Date and Time:	As soon as practicable.
Place:	Robert H. Jackson United States Courthouse 2 Niagara Square, Buffalo, New York 14202
Supporting Papers:	Memorandum of Law; Declaration of Joseph O'Donnell with attached exhibit(s).
Answering Papers:	To be filed on schedule as determined by the Court. The Receiver intends to file a reply.
Relief Requested:	An Order Holding Intervenor Law Firms in Civil Contempt, ordering their immediate compliance with the Court's order at the April 22 <sup>nd</sup> hearing regarding communications with consumers, to pay an appropriate sanction of \$1,000 per day, per Law

Firm, until the contempt is purged, and be liable to the Receivership Estate for the attorneys' fees necessary to bring this motion.

Grounds for Relief:

This Court's Preliminary Injunction and the Court's oral instructions at the April 22<sup>nd</sup> hearing regarding communications with consumers.

Oral Argument:

Because civil contempt requires that the alleged contemnor receive an opportunity to respond and to be heard at an in-person hearing prior to any finding of contempt, a briefing and hearing schedule should be set to allow the Intervenor Law Firms a full and fair opportunity to be heard.

Dated: May 6, 2024

**MCNAMARA SMITH LLP**

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*Attorneys for Court-appointed Receiver,  
Thomas W. McNamara*